

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIE SAFFO,)
Plaintiff)
)
vs.) Civil Action No. 07-1306
) Judge Joy Flowers Conti/
WARDEN WILLIAM SCHOUPE; MS.) Magistrate Judge Amy Reynolds Hay
CAROL STEEL SMITH, Director of)
Treatment Beaver County Jail; RICK)
TOWCIMAK; BEAVER COUNTY)
PRISON BOARD; JOE SPANIK; BEAVER))
COUNTY COMMISSIONERS, et al.)
Defendants)

ORDER

AND NOW, this 14th day of December, 2007, after the Plaintiff, Willie Saffo, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and plaintiff's copy of the report and recommendation having been returned to the Court indicating that Plaintiff is not at Beaver County Jail, service was attempted - not known and they are unable to forward, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that plaintiff's motion to proceed inform a pauperis [1] is denied;

IT IS FURTHER ORDERED that the case is dismissed without prejudice to refiling upon payment of the filing fee;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules

of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

/s/ Joy Flowers Conti
JOY FLOWERS CONTI
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Willie Saffo
Beaver County Jail
6000 Woodlawn Boulevard
Aliquippa, PA 15001